

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

In re:	§	
	§	Chapter 7
ASTRALABS, INC.	§	
	§	Case No. 23-10164-SMR
Debtor	§	
	§	

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**ANDREW RYAN’S PRELIMINARY RESPONSE TO TRUSTEE’S MOTION FOR  
STATUS CONFERENCE**

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TO THE HONORABLE SHAD M. ROBINSON, U.S. BANKRUPTCY JUDGE:

1. The Trustee election of July 28, 2023, was conducted with the utmost rigor and integrity by the U.S. Trustee’s office. After the election, U.S.T. counsel, Mr. Tobin, announced that per procedure, he would submit a disputed election report to the court, which the parties could then respond to. The Trustee’s motion appears to be an attempt to improperly influence the court’s reception of that report.

2. The Trustee admits that he has no grounds for expedited consideration (§ 40), but there are also no grounds for status hearing. If the Trustee wishes to dispute the election, he should do after the election report is issued. As admitted in the motion, the U.S. Trustee is already investigating allegations surrounding the election (§ 3). Further, the hearing is requested to discuss “(a) the Trustee’s contemplated motion for show cause order and sanctions; (b) related discovery, scheduling, and coordination with other pending matters.” (§ 8). There is nothing stopping the Trustee from filing any motion on proper time to allow for full discovery and response and requesting a status hearing afterwards to schedule discovery.

3. A status hearing serves no purpose at this time except giving the Trustee’s counsel a platform to prejudice the Court regarding the election and his allegations against the creditors.

Any such allegations should be addressed, as the Trustee himself indicates, in a motion or other vehicle with proper due-process protections rather than at a status hearing. Further, any hearing held in this matter should be held in the ordinary course, after submission of the U.S. Trustee's election report and after the deadline to respond thereto, rather than on an expedited basis. As the Trustee admits, there are no grounds to expedite.

4. Mr. Ryan reserves his right to contest each and every allegation made in the motion.

WHEREFORE, Andrew Ryan, prays that the Court deny the Motion without prejudice or set the hearing far enough in the future that the parties can receive and respond to the U.S. Trustee's report.

Dated: August 9, 2023

Respectfully submitted,

/s/ Ron Satija

Ron Satija  
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*Counsel for Andrew Ryan, Creditor in the  
Bankruptcy Estate of ASTRALABS, INC.*

**CERTIFICATE OF SERVICE**

The signature above certifies that a true and correct copy of the foregoing document has been served by CM/ECF or by first class, U.S. mail, postage prepaid within one business day of August 9, 2023, on the following:

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